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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,

9 Plaintiff,

10 v.

11 Mustaf Adan Arale
12 aka Mohamed Abdirahman Osman,

13 Defendant.
14

No. CR-18-1584-TUC RM (BGM)

JUDICIAL ORDER OF REMOVAL

15 Pursuant to the stipulation of the United States and the defendant, Mustaf Adan
16 Arale, aka Mohamed Abdirahman Osman, the parties having requested and stipulated to a
17 Judicial Order of Removal pursuant to Title 8, United States Code, Sections 1228(c)(1) –
18 (c)(5) and good cause appearing:

19 **THE COURT FINDS AS FOLLOWS:**

- 20 1. The defendant is a removable alien pursuant to Title 8, United States Code,
21 Section 1227(a)(1)(A) because:
- 22 a. The defendant is not a citizen or national of the United States;
 - 23 b. The defendant is a citizen of Somalia.
 - 24 c. On or about February 26, 2014, the Department of Homeland Security
 - 25 admitted the defendant into the United States as a refugee;
 - 26 d. The defendant, in conjunction with his Form I-590, Registration for
 - 27 Classification as Refugee, under oath, falsely stated he had not gone by,
 - 28 or used another name in order to gain admission into the United States;

1 e. On August 20, 2018, U.S. Citizenship and Immigration Services (USCIS)
2 terminated the defendant's refugee status because USCIS obtained
3 evidence the defendant provided false statements in conjunction with his
4 application for refugee status which made him ineligible for refugee
5 status at the time it was granted;

6 f. The defendant is subject to removal from the United States pursuant to
7 Title 8, United States Code, Section 1227(a)(1)(A), in that at the time of
8 his entry or of adjustment of status, the defendant was within one or more
9 of the classes of aliens inadmissible by the law existing at such time, to
10 wit: aliens who seek to procure, or have sought to procure, or who have
11 procured a visa, other documentation, or admission into the United States,
12 or other benefit provided under the Act, by fraud or by willfully
13 misrepresenting a material fact, under Title 8, United States Code,
14 Section 1182(a)(6)(C)(i).

15 2. The defendant entered into a plea agreement with the United States, in which the
16 defendant conceded he is removable from the United States and stipulated and
17 agreed to the entry of a judicial order of removal.

18 3. The defendant has waived his right to notice and a hearing prior to his removal
19 from the United States under Title 8, United States Code, Section 1228(c)(5).

20 4. The defendant has waived the opportunity to pursue any and all potential forms
21 of relief, including asylum, withholding of removal, and protection under the
22 United Nations Convention Against Torture.


23 5. All conditions precedent to the entry of this order as stipulated by the defendant
24 and the United States have been completed.

25 6. In accordance with the terms of the Plea Agreement, the defendant shall remove
26 himself from the United States at his own expense no later than seven (7) days
27 after sentencing.
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1 **IT IS THEREFORE ORDERED** the defendant shall remove himself from the United
2 States at his own expense.

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4 **IT IS FURTHER ORDERED**, if defendant fails to remove himself from the United States
5 at his own expense no later than seven (7) days after sentencing, the defendant shall be
6 removed from the United States to Somalia, or any other country deemed appropriate under
7 Title 8, United States Code, Section 1231(b).

8 Dated this 15th day of July, 2020.

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13 Honorable Rosemary Márquez
14 United States District Judge
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